

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, *et al.*,

Plaintiffs,

v.

VIMEO, LLC d/b/a VIMEO.COM, *et al.*,

Defendants.

CASE NO. 09 CV 10101 (RA)

EMI BLACKWOOD MUSIC, INC., *et al.*,

Plaintiffs,

v.

VIMEO, LLC d/b/a VIMEO.COM, *et al.*,

Defendants.

CASE NO. 09 CV 10105 (RA)

DECLARATION OF TODD ANTEN

I, Todd Anten, declare as follows:

1. I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Defendants Vimeo, LLC d/b/a Vimeo.com and Connected Ventures, LLC, (collectively, “Vimeo”). I submit this declaration in support of Defendants’ Motion for Summary Judgment Pursuant to the DMCA Safe Harbor.

2. The Declaration of Dae Mellencamp, submitted herewith, describes a number of webpages appearing on the Vimeo website and identifies the corresponding URLs for those webpages. Attached hereto are true and correct copies of printouts and/or screenshots of the following URLs described in Ms. Mellencamp’s declaration, which I accessed and caused to be printed on September 5-7, 2012.

Paragraph in Mellencamp Declaration	URL	Corresponding Vimeo Screenshot Exhibit No.
¶ 6	http://vimeo.com/whitehouse	1
¶ 6	http://vimeo.com/nytimes	1
¶ 6	http://vimeo.com/metmuseum	1
¶ 6	http://vimeo.com/nycballet	1
¶ 6	http://vimeo.com/nlsi	1
¶ 6	http://vimeo.com/cnn	1
¶ 6	http://vimeo.com/paramountpictures	1
¶ 7	http://vimeo.com/yalelaw	2
¶ 7	http://vimeo.com/ecornell	2
¶ 7	http://vimeo.com/user2384236	2
¶ 7	http://vimeo.com/thedartmouth	2
¶ 7	http://vimeo.com/georgetown	2
¶ 7	http://vimeo.com/harvardlawdocs	2
¶ 7	http://vimeo.com/user2609326	2
¶ 7	http://vimeo.com/user3786351	2
¶ 7	http://vimeo.com/stanfordalumni	2
¶ 7	http://vimeo.com/tamus	2
¶ 8	http://vimeo.com/repgovs	3
¶ 8	http://vimeo.com/aipac	3
¶ 8	http://vimeo.com/user2848291	3
¶ 8	http://vimeo.com/alaskagov	3
¶ 8	http://vimeo.com/daninouye	3
¶ 8	http://vimeo.com/senatorargall	3
¶ 9	http://vimeo.com/user2922741	4
¶ 9	http://vimeo.com/archipelagofilms	4
¶ 9	http://vimeo.com/user2686410	4
¶ 9	http://vimeo.com/trafixfox	4
¶ 9	http://vimeo.com/user604934	4
¶ 9	http://vimeo.com/phish	4
¶ 9	http://vimeo.com/gotye	4
¶ 9	http://vimeo.com/weirdal	4
¶ 9	http://vimeo.com/vanhalen	4
¶ 10	http://vimeo.com/wbrvideo	5
¶ 10	http://vimeo.com/sonymusicsweden	5
¶ 10	http://vimeo.com/mergerecords	5
¶ 10	http://vimeo.com/revelation	5
¶ 11	http://vimeo.com/abandon	6
¶ 11	http://vimeo.com/benharper	6
¶ 11	http://vimeo.com/beyonce	6
¶ 11	http://vimeo.com/thebirdandthebee	6
¶ 11	http://vimeo.com/christynockels	6
¶ 11	http://vimeo.com/coldplayyaldloc	6

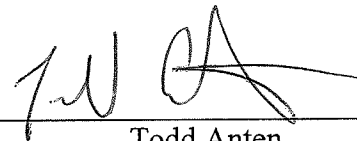
Paragraph in Mellencamp Declaration	URL	Corresponding Vimeo Screenshot Exhibit No.
¶ 11	http://vimeo.com/thedecemberists	6
¶ 11	http://vimeo.com/depechemode	6
¶ 11	http://vimeo.com/user949976	6
¶ 11	http://vimeo.com/user3178394	6
¶ 11	http://vimeo.com/futureofforestry	6
¶ 11	http://vimeo.com/jaicko	6
¶ 11	http://vimeo.com/user372736	6
¶ 11	http://vimeo.com/lcdsoundsystem	6
¶ 11	http://vimeo.com/maritlarsen	6
¶ 11	http://vimeo.com/miamihorror	6
¶ 11	http://vimeo.com/user2495615	6
¶ 11	http://vimeo.com/papavspretty	6
¶ 11	http://vimeo.com/thepostelles	6
¶ 11	http://vimeo.com/rightsaidfred	6
¶ 11	http://vimeo.com/sigurros	6
¶ 11	http://vimeo.com/emino	6
¶ 12	http://vimeo.com/11465235	7

3. Attached hereto are true and correct copies of the following documents, which constitute part of the record in these actions.

Exhibit	Description
8	Excerpts of the Deposition of Dae Mellencamp (Feb. 18, 2011) and accompanying exhibit.
9	Excerpts of the Rule 30(b)(6) Deposition of Michael Abitbol on behalf of the Music Publishing Plaintiffs (Nov. 22, 2010).
10	Excerpts of the Rule 30(b)(6) Deposition of Alasdair McMullan on behalf of the Record Company Plaintiffs (Nov. 23, 2010).
11	Excerpts of Responses of Record Company Plaintiffs to Defendants' First Set of Requests for Admission (Nov. 9, 2010).
12	Excerpts of Responses of Music Publishing Plaintiffs to Defendants' First Set of Requests for Admission (Nov. 9, 2010).
13	Document bearing Bates stamp VCV007841, from Defendants' production to Plaintiffs.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

DATED: September 7, 2012
New York, New York

A handwritten signature in black ink, appearing to read 'T. Anten', is written over a horizontal line.

Todd Anten